

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DIEGO FRAUSTO,)	
)	
Plaintiff,)	
)	Case No. 10-cv-1363
v.)	
)	Judge Zagel
IC SYSTEM, INC.,)	
)	
Defendant.)	

**MOTION FOR LEAVE TO FILE REPLY IN SUPPORT OF MOTION FOR SUMMARY
JUDGMENT**

Defendant, IC System, Inc. ("IC"), respectfully moves this Honorable Court for leave to file the attached reply brief in support of its motion for summary judgment (Docket # 33), stating as follows:

1. In his response to IC's motion for summary judgment, plaintiff, Diego Frausto, makes two arguments that are not contained in his opening brief in support of his own cross-motion for summary judgment. Defendant seeks leave of this Court to file a short reply brief which addresses the new arguments.

2. Leave should be granted because defendant could not respond to these arguments until plaintiff asserted them for the first time in his response to IC's motion for summary judgment.

3. The proposed reply is less than seven pages long excluding the caption and signature block. A copy is attached as Exhibit A.

WHEREFORE, Defendant, IC SYSTEM, INC., respectfully requests that this Honorable Court grant it leave to file the attached reply brief in support of motion for summary judgment.

Respectfully submitted

IC SYSTEM, INC.

By: /s/ Peter E. Pederson
One of its Attorneys

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CERTIFICATE OF SERVICE

The undersigned attorney certifies that on May 6, 2011, he served this document by causing a copy to be electronically filed through the Court's CM/ECF system, which will make a copy available to counsel of record identified below.

/s/ Peter E. Pederson

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